

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MAKAYLA MORRISSEY,

Defendant.

**8:18CR275**

**PRELIMINARY ORDER OF  
FORFEITURE**

This matter is before the Court on the government's Motion for Preliminary Order of Forfeiture (Filing No. 53). The Court has carefully reviewed the record in this case and finds as follows:

1. On September 12, 2019, defendant Makayla Morrissey ("Morrissey") waived (Filing No. 50) indictment and, pursuant to a plea agreement (Filing No. 52), pled guilty to Count I of the Information (Filing No. 48) and admitted the Forfeiture Allegation in the Information. Count I charged Morrissey with conspiracy to distribute and possess with intent to distribute 100 grams or more of a mixture or substance containing heroin; in violation of 21 United States Code sections 841(a)(1) and 846. Pursuant to 21 U.S.C. § 853, the Forfeiture Allegation sought the forfeiture of any property constituting, or derived from, proceeds obtained as a result of the conspiracy and any property used, or intended to be used, to commit or facilitate the conspiracy, including United States currency seized from Morrissey's residence on May 8, 2018. According to the plea agreement, law enforcement seized \$11,470 in United States currency from Morrissey's residence.

2. By virtue of her plea and admission, Morrissey forfeits her interest in the \$11,470 in United States currency and the government should be entitled to possession of said currency pursuant to 21 U.S.C. § 853.

3. The government's Motion for Preliminary Order of Forfeiture should be granted.

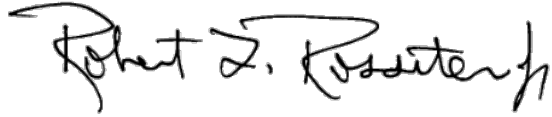
IT IS ORDERED:

1. The government's Motion for Preliminary Order of Forfeiture (Filing No. 53) is granted.
2. Based upon the Forfeiture Allegation of the Information (Filing No. 48) and defendant Makayla Morrissey's guilty plea and admission, the government is hereby authorized to seize the \$11,470 in United States currency.
3. Morrissey's interest in the \$11,470 in United States currency is hereby forfeited to the government for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n)(1).
4. The \$11,470 in United States currency is to be held by the government in its secure custody and control.
5. Pursuant to 21 U.S.C. § 853(n)(1), the government shall publish for at least thirty consecutive days on an official internet government forfeiture site, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Preliminary Order of Forfeiture, notice of publication evidencing the government's intent to dispose of the property in such manner as the Attorney General may direct, and notice that any person, other than Morrissey, having or claiming a legal interest in any of the subject property must file a Petition with the Court within thirty days of the final publication of notice or of receipt of actual notice, whichever is earlier.
6. The published notice shall state the Petition referred to in Paragraph 5, above, shall be for a hearing to adjudicate the validity of the Petitioner's interest in the \$11,470 in United States currency, shall be signed by the Petitioner under penalty of perjury, and shall set forth the nature and extent of the Petitioner's right, title, or interest in the \$11,470 in United States currency and any additional facts supporting the Petitioner's claim and the relief sought.
7. The government may also, to the extent practicable, provide direct written notice to any person known to have an interest in the \$11,470 in United States currency as a substitute for published notice as to those persons so notified.

8. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(n), in which all interests will be addressed.

Dated this 17th day of September 2019.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Robert F. Rossiter, Jr.", with a stylized flourish at the end.

Robert F. Rossiter, Jr.  
United States District Judge